REMARKS

This Amendment is submitted in response to the Office Action dated August 12, 2004, having a shortened statutory period set to expire November 12, 2004. In the present office action, Claims 1-24, 27-32 and 35-40 are amended. Claims 1-42 are pending.

Applicants note with appreciation the teleconference held on October 15, 2004 with the Examiner. No agreement was reached during this teleconference.

REJECTIONS UNDER 35 U.S.C. § 102

In Paragraph 2 of the present Office Action, Claims 1, 5-7, 11-13, 17-19, 22-23, 25-26, 30-31, 33-35, 38-39 and 41-42 are rejected under 35 U.S.C. § 102(a) as being anticipated by *Barber* (U.S. Patent No. 5,930,777 – *"Barber"*). Applicants respectfully traverse this rejection.

Barber teaches a method for paying for web page content using a token bank. Whenever a user accesses a "for pay" web page, a banker (server) deducts tokens from the user's account to pay for the web page access (*Barber*, abstract).

It is axiomatic that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *MPEP § 2131, citing* Verdegaal Bros. v. Union Oil Co. of California, *814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).*

With reference to exemplary Claim 1, *Barber* does not teach or suggest "displaying on the user device multiple enhancement options from the billing server to view the single web page's content for a cost, wherein each enhancement option has a different cost." *Barber* teaches the display of a multiple web pages, such that the display indicates that clicking a link will cost the user money to see the selected web page (*Barber*, col. 7, lines 64-67). However, there is no teaching or suggestion of multiple enhancement options for a single web page, such that each

option has a different price tag ("different cost"). That is, *Barber* teaches offering multiple web pages, from which one of the offered web pages may be selected, while the present invention claims offering multiple enhancement options for a single web page, which results in a portion of that single web page being sent to a user. Such enhancements may include the removal of advertisements (e.g., exemplary Claim 2), updating content (e.g., exemplary Claim 3), or selecting only a portion of the single web page according to PDA screen size (e.g., exemplary Claim 5).

With reference to exemplary Claim 5, *Barber* does not teach or suggest the feature that the prices of the enhancement options are based on what percentage of a single web page is displayed on the user device, such that the choice of what percentage of the single page is displayed is dependent on the size of the PDA's limited sized display. As described in Page 8 of the specification of the present invention, this feature allows a user to extract content at a web page granularity, rather than simply selecting one or multiple web pages, such that the content can be clearly viewed on the PDA's smaller screen. This feature is particularly significant is the user wishes to only view a "non-text image" (i.e., a picture) from the single web page (e.g., exemplary Claim 6). Note that while *Britt* (referenced below) does teach that a server can configure transmitted web content to a PDA according to the screen size of the PDA (*Britt*, col. 6, lines 6-21), this configuration is based on a shrinking down of all of the web page using "pre-scaling" (*Britt*, col. 6, line 13), not sending only a part of the single web page (as claimed in Claim 5). Likewise, none of the cited prior art teaches or suggests giving the user the choice of viewing only a portion ("percentage") of the web page.

With reference to exemplary Claims 22 and 23, *Barber* does not teach or suggest the feature of the multiple enhancement offers being "defined by a non-URL descriptive portion of a script header to the web page content" (Claim 22). The Examiner cites *Barber* at column 6, lines 16-17 for this teaching. However, *Barber*, and particularly the cited passage, never mentions script headers. Rather, the cited passage refers to adding a cost field to a URL link. While headers in general may include URL information, in the present invention (as disclosed in Page 7 of the present patent application), the enhancement features are transmitted in a header area that is unrelated to and independent of the URL. For example, the enhancement offer may include

information regarding how much the enhancement costs (<SOMEITEM NAME = "ITEM NAME": COST = "200">), but this information is URL independent.

Likewise, *Barber* does not teach or suggest using this script header (and particularly XML script in the header) to generate at the user device a display of the multiple enhancement offers (Claim 23).

As the cited prior art does not teach or suggest all of the limitations of the rejected claims, Applicants respectfully request allowance of said claims.

REJECTIONS UNDER 35 U.S.C. § 103

In Paragraph 4 of the present Office Action, Claims 2, 8, 14, 20, 28 and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barber* in view of *Britt, Jr.* (U.S. Patent No. 7,742,038 – "*Britt*"). Similarly, in Paragraphs 5 and 6, Claims 3-4, 9-10, 15-16, 21, 24, 29, 32, 37 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Barber* alone. Applicants respectfully traverse these rejections.

Britt is cited for the teaching of giving a user (and server) an option to delete advertisement banners being broadcast with a web page to a PDA (*Britt*, col. 6, lines 22-38). However, neither *Britt* nor *Barber* teach or suggest first offering multiple viewing options for a single web page, as discussed above.

With reference to the rejection over *Barber* alone of exemplary Claim 3, the cited prior art does not teach or suggest basing the prices of the enhancement options on an <u>age</u> of the at least a portion of the single web page content. The Examiner has stated that "it would have been obvious to one of ordinary skill in the art to modify the...viewing process...based on age of the web site." Applicants respectfully traverse Examiner's position and rejection, specifically in reference to the age of a portion of a <u>single web page</u>. It is axiomatic that using the claimed invention "as an instruction manual or 'template' to piece together the teachings of the prior art

so that the claimed invention is rendered obvious" is in contravention of *In re Fritch*, 23 USPQ2d 1780 (Fed. Cir. 1992). None of the cited art teaches or suggests the feature of basing a price of an enhancement option on an age of the content in conjunction with the features of the base claims. Applicants therefore respectfully traverse this rejection, and request that the subject claim be allowed.

CONCLUSION

As the cited prior art does not teach or suggest all of the limitations of the pending claims, Applicants respectfully request a Notice of Allowance for all pending claims.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 09-0447.**

Respectfully submitted,

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